



Chairman's Report

This issue of *The International Lawyer* highlights the work of the committees of the Section by setting forth a brief description of their scope and objectives. These statements give rosters of committee members and of the entire membership and not only demonstrate the wide range of professional activity covered by the committees of the Section, but also indicate some of the public service functions which the Section performs. Members who wish to contribute to the work of the Section are urged to write to the Chairman, to the Divisional Vice-Chairman, or to the Chairman of the particular committee. Non-members who are interested in the Section's functions and activities, and wish to share the benefits of Section membership, are invited to join by completing the form found in any issue of *The International Lawyer* (p. vi of this issue).

Of the many Section activities that could be mentioned, this Chairman's Report discusses the Section Officers Conference in Chicago, our plans for the Mid-Year Meeting of the Council in Houston, the Section's Spring Meeting in Washington, D.C., and the 1967 Annual Meeting in Honolulu, Hawaii. It also informs Section members of the progress of our Section institutes and seminars and the amicus curiae brief in *Banco Nacional de Cuba v. Farr Whitlock*.

Meetings

Section Officers Conference

All officers of the Section were invited to attend the American Bar Association Section Officers Conference held in Chicago on October 14-15, 1966. In addition to the officers of the Association and key staff personnel, the Conference was attended by the Chairmen and representative officers of all of the Sections of our Association. The Section of International and Comparative Law was represented by your Chairman, Divisional Vice-Chairman Harry A. Inman (International Organizations), Divisional Vice-Chairman David M. Gooder (International Law), and Divisional Vice-Chairman Clifford J. Hynning (Comparative Law).

After opening remarks by Orison S. Marden, President of the American Bar Association, Bert H. Early, Executive Director of the Association, and H. Eugene Heine, Jr., Director of Section Services, the panels discussed the 1967 Annual Meeting in Hawaii, the structure and effectiveness of Section committees and the harnessing of

volunteers for Section work, development of quarterly publications, hard cover publications, and national institutes and seminars.

Your Chairman, who was a speaker on the panel on "ABA National Institutes Under Way," presented a report on the work of the Section's Committee on Continuing Legal Education which is formulating specific plans for the Section's national institutes and seminars. Your Chairman expressed his appreciation of the work of the Committee on Continuing Legal Education and notified all present of the Section's first Institute to be held in New Orleans, Louisiana, on March 31-April 1, 1967.

Speakers at the Chicago conference responsible for housing and planning, urged all members who wish to attend the Hawaii Annual Meeting to make their reservations as soon as possible. The Section of International and Comparative Law has been assigned to the Hawaiian Village Hotel and the dates of its meeting will be August 5-9, 1967.

Mid-Year Meeting

The Mid-Year Meeting of the Council of the Section will be held at the Shamrock Hilton Hotel in Houston, Texas on February 12, 1967. A breakfast meeting has been scheduled for all Section officers and the Section Delegate. Meetings of the Council are scheduled for 10:00 A.M. and 2:00 P.M. The luncheon for all officers and Council members and guests is scheduled for 12:30 P.M. As has been the custom in prior years, all Committee Chairmen are invited to attend the meetings of the Council. At these meetings the Divisional Vice-Chairmen will report on the work of the committees within their Division. Your Chairman has already notified by letter all officers and Committee Chairmen of the importance of complying with the deadlines fixed by the Association in presenting reports that are in turn to be presented to the House of Delegates either for information or for appropriate action.

Washington Spring Meeting

The Spring Meeting of our Section will be held at the Statler-Hilton Hotel in Washington, D.C. on April 27-28, 1967. The officers and members of the Council will meet on Thursday afternoon, April 27, and the Section meeting will be held on Friday morning,

April 28. On Thursday evening, our Section will jointly sponsor a program with the American Society of International Law, on *Concession Agreements—Problems and Trends in Negotiation and Renegotiation*. The panelists will probably include (1) Professor Raymond Vernon, who will analyze trends over recent decades in the negotiation of concession contracts, (2) Andreas Lowenfeld, who will speak about some of the policy considerations when the State Department assists in resolving renegotiation crises, and (3) a practitioner who will present a case study of some of the problems involved in the initial negotiation of a concession.

The Spring Meeting will conclude with a joint luncheon with the Society on Friday. Section members will thus have the opportunity of attending the various panels of the Society on Friday afternoon. The Society traditionally concludes its program with a dinner on Friday evening. All Section members will be individually notified of the time, topics, and speakers for the Spring meeting.

Hawaii Annual Meeting

Ewell E. Murphy, Jr., our Chairman of the Committee on Programs and Meetings, has made the following report on the program that is being planned for the Hawaii Annual Meeting.

August 5, 1967, Saturday:

- 10:00 a.m.: Meeting of officers, Council members, and committee chairmen.
- Noon: Council Luncheon.
- 2:00 p.m.: Meeting of officers, Council members, and committee chairmen, continued.

August 6, 1967, Sunday:

- 10:00 a.m.: Meeting of officers, Council members, and committee chairmen, continued.
- 2:00 p.m.: First general session of the Section, with your chairman presiding. Reports from Divisions of International Law (David M. Gooder), and International Trade and Investment (James T. Haight).

August 7, 1967, Monday:

2:00 p.m.: Space law.

August 8, 1967, Tuesday:

9:30 a.m.: Oceanography (Admiral Hearn, Navy JAG).

12:30 p.m.: Section luncheon.

2:30 p.m.: Commercial Oceanography.

5:30 p.m.: Reception and buffet at Pearl Harbor Naval Base (with the Inter-American Bar Association and International Bar Association).

August 9, 1967, Wednesday:

8:00 a.m.: Annual joint breakfast of the American Foreign Law Association.

9:30 a.m.: Final general session of the Section. Reports from Divisions of Comparative Law (Clifford J. Hynning); International Organizations (Harry A. Inman); and the General Committees of the Section (Joe C. Barrett, Chairman-elect).

12:00 noon: Executive session of new officers and Council members.

9:00 p.m.: President's reception and dance.

International Law Institute

The first National Institute on International Law to be sponsored by the Section will take place in New Orleans on March 31-April 1, 1967. This Institute, like all others planned by the Section, will be conducted under the supervision of the Section's Committee on Continuing Legal Education, under the chairmanship of former Section Chairman Max Chopnick.

This National Institute or Seminar will be entitled "The Problems of Lawyers in the Practice of International Law." In addition to the social events, the topics that will be covered during the two-day

session will include the following: (1) Introduction to International Law: Public and Private; (2) "From Ivory Tower to Main Street"—basic view of the problems in international law; (3) International Aspects of Descent and Distribution; (4) How to find, interpret, and apply foreign law; (5) Proof of foreign law in the Courts of the United States; and (6) Procedures for securing testimony abroad.

The format of all of the sessions will permit audience participation and the posing of questions to the speakers who will present the scheduled topics. A new feature will include a panel of experts who will deal with and respond to specific questions and problems encountered by the audience in their daily practice of law as it bears upon international legal questions.

Mr. Chopnick reports that, thanks to the cooperation of Mr. Eberhard P. Deutsch, a member of the Section's Committee on Continuing Legal Education, the work of the Committee in arranging this Seminar will be greatly facilitated, and the Section may count upon the enthusiastic support of local bar associations and all of the law schools of the area.

In keeping with the policy of the Section pertaining to institutes sponsored by the Section, the Institute will be open to the public and members of the bar upon the payment of the registration fee of \$30.00.

An announcement will soon be made containing the specific program of this Institute together with the names of the panelists, experts and speakers, as well as the schedule of social events.

The Committee on Continuing Legal Education reports that it is considering the following topics for future national institutes to be conducted by the Section: (1) International Exploitation of Patents, Trademarks, Copyrights and Know How; (2) Legal and Commercial Aspects of Oceanography, i.e., Exploitation of the Sea—on, in and under the Sea; (3) The Foreign Relations Law of the United States; (4) International Arbitration of Commercial Disputes; and (5) The Current Status of Antitrust Laws in Foreign Countries.

Amicus Curiae Brief in "Sabbatino" Case

At the Annual Meeting in Montreal the House of Delegates of the American Bar Association authorized our Section to file a brief amicus curiae before the Court of Appeals for the Second Circuit in the case of *Banco Nacional de Cuba v. Farr Whitlock*. The Section's

ad hoc committee for the preparation of this brief consists of Benjamin Busch, Chairman, Dean Erwin N. Griswold, Arthur H. Dean, Max Chopnick, George W. Haight and Doris Carroll. The brief covered those international law issues which were treated in a prior *amicus curiae* brief filed by the Association in the *Sabbatino* case when it was heard by the Supreme Court of the United States. The brief contains an appendix on provisions in constitutions, investment laws, treaties, etc., of many countries designed to show the principles of customary international law applicable to the taking of foreign-owned private property, *infra* pp. 232-255. In an unusual action, the Court of Appeals granted permission to present oral argument. Arthur H. Dean argued for the American Bar Association.

Andrew G. Haley

The American Bar Association and particularly the Section of International and Comparative Law recently lost a most active and influential member by the untimely death of Andrew G. Haley. Mr. Haley was a long-time member of our Section and served with distinction and devotion as Chairman of our Committee on the Law of Outer Space. A pioneer in communications law and a noted author of many books and articles, Mr. Haley had gained international recognition for his studies on the law of outer space. He was a member of numerous national and international legal and scientific organizations and a frequent participant in international conferences dealing with communications law and space law. At the 1966 Annual Meeting in Montreal, after a most edifying and enthusiastic presentation by Mr. Haley, our Section approved a program on outer space to be conducted by Mr. Haley's committee at the 1967 Annual Meeting in Hawaii. His demise is deeply mourned by his many friends and the Section of International and Comparative Law hereby conveys its condolences to the family of this outstanding lawyer and member of the American Bar Association.

EDWARD D. RE,
Chairman